

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 20, 23, and 36-41 are pending in the application, with claims 20, 36, and 388 being the independent claims. Claims 21 and 22 are canceled without prejudice to or disclaimer of the subject matter therein. New claims 36-41 are added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections Under 35 U.S.C. § 112

Claim 23 has been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. In particular, the Examiner stated that there was no support for the recitation in claim 23 that the oil passages are positioned vertically in a thick portion of the center section. Claim 23 has been amended to recite that the oil passages are disposed horizontally in a thick portion of the center section, as shown at least in the drawings of the present application, referring to oil passages 5a and 5b.

Applicants therefore respectfully request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 102

Claims 20 and 23 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,090,949 to Thoma *et al.* Independent claim 20 has been amended to generally incorporate the features recited in claims 21 and 22, which were not rejected over the Thoma *et al.* patent. Claim 23 has been amended to depend from amended claim 20. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

Claims 20-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,942,780 to Fujisaki. Independent claim 20 has been amended to generally incorporate the features of claims 21 and 22. In particular, claim 20 has been amended to recite that a phantom plane including the motor mounting surface intersects with the input means of the hydraulic pump. Although the Examiner asserted that the Fujisaki patent disclosed or rendered obvious the features of claim 22, the Fujisaki patent does not disclose or suggest that the phantom plane including the motor mounting surface intersects the input means of the hydraulic pump. As seen, for example, FIG. 2 of the Fujisaki patent, the plane including the motor mounting surface passes to the left of the input shaft of the hydraulic pump. In contrast, FIGS. 7-14 and 19-25 of the present application shows that the phantom plane of the motor mounting surface intersects the input shaft of the hydraulic pump, as explained at page 12, lines 7-9 of the specification. For at least this reason, the Fujisaki patent does not disclose or suggest the features recited in amended claim 20. Claim 23 depends from and adds features to claim 20, and is therefore allowable over the Fujisaki patent for at least the same reasons as claim 20. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Conclusion

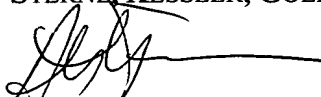
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Albert L. Ferro
Attorney for Applicants
Registration No. 44,679

Date: July 5, 2005

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

417150_1.DOC